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An Act respecting Arnprior-Nepean Railway Company Inc.

Preamble

Arnprior-Nepean Railway Company Inc. has applied for special legislation respecting the operation of a railway. The company represents that it is preparing to operate a railway between Arnprior and Nepean, both in the Province of Ontario. The company, which was incorporated under the *Business Corporations Act*, cannot operate a railway unless it is incorporated by a special Act of the Legislature.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Deemed incorporation by special Act

1. Arnprior-Nepean Railway Company Inc. shall, for the purposes of *The Railways Act*, being chapter 331 of the Revised Statutes of Ontario, 1950, be deemed to be incorporated by a special Act.

Application of *Business Corporations Act*

2.—(1) The *Business Corporations Act* applies to the company as if it were a corporation under that Act.

Idem

(2) Despite subsection 168 (6) of the *Business Corporations Act*, subsections 168 (1) to (5) of that Act apply to the company.

Application of *The Railways Act*

3.—(1) *The Railways Act*, except for the provisions listed in subsection (2), applies to the company in respect of its operation of a railway.

Exceptions

(2) Sections 7 to 52 inclusive, 92, 93, 144 to 153 inclusive, 161 to 172 inclusive, 177 to 227 inclusive, 270, 271 and 286 of *The Railways Act* do not apply to the company.

Company not a common carrier

4. The company shall not carry on business as a common carrier.

Conditions for O.M.B approval

5. The Ontario Municipal Board shall not approve an application by the company under section 174 of *The Railways Act* unless the Ministry of Transportation has indicated satisfaction to the Board that the equipment, track and operating procedures of the railway permit the railway to be operated in a safe manner.

Annual safety certificate

6. The company shall annually provide to the Ontario Municipal Board a certificate from a professional engineer stating that the equipment, track and operating procedures of the railway are in accordance with generally accepted railway practices and are sufficient to protect the safety of the public.

Costs

7. The costs of the inspections, reports and certifications required to fulfil sections 5 and 6 shall be borne by the company.

Powers of O.M.B.

8. Nothing in this Act shall be construed to derogate from the powers of the Ontario Municipal Board under *The Railways Act*.

Commencement

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. The short title of this Act is the *Arnprior-Nepean Railway Company Inc. Act, 1992*.

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

An Act respecting Bikur Cholim

Preamble

Bikur Cholim has applied for special legislation to exempt certain lands and premises from taxation for municipal and school purposes. The applicant represents that it was incorporated by letters patent on the 6th day of May, 1963 under the laws of Canada and that it is a registered charitable organization within the meaning of the *Income Tax Act* (Canada). The applicant also represents that it has a freehold interest in land and premises known municipally as 506 Coldstream Avenue in the City of North York.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Tax exemption

1.—(1) The council of The Corporation of the City of North York may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by Bikur Cholim, being the land and premises described in the Schedule, so long as the land is occupied and used solely for the purposes of Bikur Cholim.

Condition

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Retroactive by-law

2. A by-law passed under section 1 may be made retroactive to the 1st day of January, 1990.

Deemed exemption

3. For the purposes of subsection 244 (8) of the *Municipality of Metropolitan Toronto Act*, the exemption from taxation granted under section 1 is deemed to be an exemption provided under section 3 of the *Assessment Act*.

Commencement

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Bikur Cholim Act, 1992*.

SCHEDULE

The lands and premises located in the City of North York, in The Municipality of Metropolitan Toronto, being composed of the whole of Lot Number 1 and the westerly two feet throughout from front to rear of Block D, according to the Plan registered in the Registry Office for the Metropolitan Toronto Registry Division (No. 64) as Plan Number 3171.

Together with a right of easement for light and air at all times for all persons entitled thereto over, along and upon the easterly one foot of the southerly seventy-five feet of Lot Number 2 according to Plan Number 3171.

Previously described in Instrument No. TB 752644.

The north side of Coldstream Avenue as confirmed by Plan 11461, being Boundaries Act Plan BA 1883, registered on July 8, 1981 as Instrument No. 800340 North York.

PIN 10218-0082

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

An Act respecting Bikur Cholim

Preamble

Bikur Cholim has applied for special legislation to exempt certain lands and premises from taxation for municipal and school purposes. The applicant represents that it was incorporated by letters patent on the 6th day of May, 1963 under the laws of Canada and that it is a registered charitable organization within the meaning of the *Income Tax Act* (Canada). The applicant also represents that it has a freehold interest in land and premises known municipally as 506 Coldstream Avenue in the City of North York.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Tax exemption

1.—(1) Despite Parts VIII and XVII of the *Municipality of Metropolitan Toronto Act*, the council of The Corporation of the City of North York may pass by-laws exempting from taxation other than local improvement rates, for municipal purposes of the Corporation and for or in respect of school purposes, the land, as defined in the *Assessment Act*, owned and occupied by Bikur Cholim, being the land and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of Bikur Cholim.

Condition

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Direction re tax exemption

(3) Despite Parts VIII and XVII of the *Municipality of Metropolitan Toronto Act*, if land is exempted from municipal and school taxation under subsection (1), The Municipality of Metropolitan Toronto may by resolution direct The Corporation of the City of North York to exempt that land from taxation for the purposes of The Municipality of Metropolitan Toronto.

Delivery of resolution

(4) The Municipality of Metropolitan Toronto shall forward a copy of the resolution to The Corporation of the City of North York.

Further tax exemption

(5) When it receives a copy of the resolution, The Corporation of the City of North York shall by by-law exempt the land from taxation for the purposes of The Municipality of Metropolitan Toronto.

Obligations on clerk

(6) Upon the passing of a by-law under this section, the clerk of The Corporation of the City of North York,

(a) shall notify the assessment commissioner of the contents of the by-law; and

(b) shall cancel all or part of the taxes levied on the exempted land from the 1st day of January, 1991 in accordance with the by-law made under this section.

Re cancellation of taxes

(7) The provisions of section 421 of the *Municipal Act* apply with necessary modifications to taxes cancelled under clause (6) (b).

Effect of exemption

(8) The treasurer of The Corporation of the City of North York may strike from the roll taxes that are exempted by reason of a by-law passed under this section.

Same

(9) An exemption of land under this Act is not considered to be an exemption under section 3 of the *Assessment Act*.

Retroactive by-law or resolution

2. A by-law or resolution passed under section 1 may be made retroactive to the 1st day of January, 1991.

Commencement

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Bikur Cholim Act, 1992*.

SCHEDULE

The lands and premises located in the City of North York, in The Municipality of Metropolitan Toronto, being composed of the whole of Lot Number 1 and the westerly two feet throughout from front to rear of Block D, according to the Plan registered in the Registry Office for the Metropolitan Toronto Registry Division (No. 64) as Plan Number 3171

Together with a right of easement for light and air at all times for all persons entitled thereto over, along and upon the easterly one foot of the southerly seventy-five feet of Lot Number 2 according to Plan Number 3171